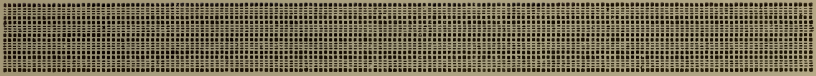
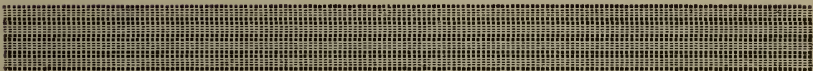


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REPORT  
of the  
MONTANA COMMISSION ON  
HIGHER EDUCATION  
with the  
RECOMMENDATIONS  
of the  
STATE BOARD OF EDUCATION

*September 26, 1944*





# The Montana Commission on Higher Education

FRANK P. LEIPER, Glendive  
Chairman

Stanley Babcock, Butte  
Mrs. Howard Bogart, Poplar  
Roy J. Covert, Billings  
John P. Fabrick, Bozeman  
Ray Gerber, Sidney  
George Gosman, Dillon  
James Graham, Helena  
Mrs. C. W. Gross, Helena  
James G. Holland, Havre

David F. James, Joplin  
Mrs. Dean King, Kalispell  
E. F. Lyman, Great Falls  
Walter L. Pope, Missoula  
Leonard Plank, Chester  
Thomas Ross, Chinook  
Mrs. Rhoda Seamans, Huntley  
J. R. Thomas, Butte  
O. S. Warden, Great Falls

# The Montana State Board of Education

Sam C. Ford, President .....Ex-officio  
R. V. Bottomly, Acting Attorney General .....Ex-officio  
Elizabeth Ireland, Supt. Public Instruction, Secretary.....Ex-officio

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G. A. Bosley, Great Falls  
G. M. Brandborg, Hamilton  
Carl L. Brattin, Sidney

Emmet J. Riley, Helena  
Mrs. C. F. Ullman, Big Timber  
Victor Weber, Deer Lodge  
John Q. Zuck, Poplar

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For many years serious problems have been encountered in the organization and administration of higher education in Montana. Realizing that the close of the war would bring additional problems and responsibilities to the six units of the University of Montana the State Board of Education decided in December of 1943 to secure the advice of a commission of nineteen representative and distinguished Montana citizens with regard to post-war plans for the University. The Commission, made up of representatives of many of the principal economic and civic groups in the state, has given careful study to the problems of the program, the organization and the administration of the University system. Following its deliberations the Commission submitted a majority and minority report to the State Board of Education.

After thorough consideration of these reports it is the opinion of the members of the Board that two conclusions constitute the framework of the Commission's recommendations. The first of these provides for the unification of the six units of the University into a single educational system with unified budgetary control and administration. The second recommends a clarification and definition of the powers of the State Board of Education. The past experience of the Board supplies many examples of the difficulties under which the Board functions when it has responsibility for the control of higher education but is without authority to carry out the responsibility. Time and again the lack of unity in the educational structure itself, the fiscal independence of the individual institutions and the lack of budgetary control have hampered the Board in its efforts to administer the system of higher education with wisdom and efficiency.

The Board also concurs with the recommendations of the Commission with regard to budgetary procedure, planning of buildings and equipment and the elimination of unnecessary duplication. These will be carried forward as rapidly and effectively as possible within the powers possessed by the Board. Without doubt the Commission manifested wisdom in urging special attention to the education of returned soldiers and other specialized war needs.

The majority report recommends changes in the composition of the State Board of Education. The Board believes these changes

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should not be made. A proposal for a change in the composition of the Board was submitted to the people at the 1942 election and rejected. In Montana the State Board of Education is charged with the administration of the State Department of Education with its supervision of elementary and secondary schools. This fact makes it desirable to have the State Superintendent of Public Instruction as a member of the Board. With reference to the Attorney General, he is a member of the important Board of Examiners where he is called upon to make decisions on educational expenditures. If he serves also on the Board of Education he will have the information about educational programs and activities to enable him to serve on the Board of Examiners in such a manner as to aid in effecting a coordinated educational and financial policy. Moreover, the recommendation of the Commission regarding a change in board membership is only a detail and not a major element in the Commission report. Members of the Commission who have participated in discussions with the Board agree that it is the general framework of the report dealing with the clarification of the powers of the Board and the unification of the institutional structure which is of greatest importance.

The majority report recommends that the powers of the State Board be clarified by constitutional amendment. This procedure is no doubt essential in the interest of permanence. The adoption of an amendment, however, requires considerable time. To avoid delay the Board believes that the first step is the passage of a statute clarifying the powers of the Board and unifying the educational institutions as to educational program and budgetary procedure. The second step is a constitutional amendment which will give permanence to the provisions of the statute, but which will not provide for any change in the composition of the Board. In the opinion of the members of the Board both the statute and the amendment should be passed to insure prompt action, stability and continuity in administration.

The post-war responsibilities of Montana's system of higher education will be heavy. Not only returned soldiers, but all the other young people of the state require the best educational facilities we can provide. Adult education and field services must be improved to meet the needs of vocational and professional groups.

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All of us must be educated for leadership in the improvement of our communities and the development of our state. If all of these educational needs are to be provided it is important that Montana have a State Board of Education empowered to give effective administration to higher education. It is equally important that the institutional structure of the University be so unified educationally and financially that it lends itself to effective administration.

The State Board of Education wishes to express its appreciation to the Commission on Higher Education for its painstaking efforts and its wise counsel in regard to our educational problems. It hopes that the recommendations of the Commission will be widely studied and discussed by the people of our state in order that cooperative effort and sound organization may be achieved.

The foregoing statement was approved by  
the State Board of Education

September 26, 1944.



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TO THE STATE BOARD OF EDUCATION:  
OF THE STATE OF MONTANA:

The Commission on Higher Education was appointed in January, 1944, by the State Board of Education, for the purpose of making a study of our system of higher education, to search for methods by which it can be made to better serve all Montana citizens, and to make recommendations accordingly. The Commission has held three meetings of two days each. This represents but a small fraction of the time and effort expended by each member in consideration of the matter.

The problems of our university are many and involved. The Commission has not considered all of these, but it has given special consideration to a few fundamental factors and arrived at definite conclusions which, if adopted, will, in our judgment, greatly benefit our university.

The university consists of six units, located at Bozeman, Missoula, Butte, Dillon, Havre, and Billings.

This university is the home of higher education in this state; and, therefore, a very important part of the state government. Its purposes lend emphasis to its importance. Its business is the training—development—of the citizens to the end that each may achieve: that each may have a clearer conception of his obligation to God, a better understanding of his relations with his fellowmen, a deeper devotion to his country, and a greater respect for its fundamental laws.

This educational system may not remain static. Nature's laws so decree. It will not manage itself. We must do that. Its development, its usefulness, the kind and character of dividends which it pays depends upon the time, the energy, the effort, and the money which we are willing to devote to its maintenance and operation.

The government of the university may be likened to that of any other great business concern. The same general principles apply to the management of each, but the details of any plan under which either is operated must be subject to constant change in order to meet altered conditions. However, there must be a

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**general framework which shall be permanent and around which the details of its operation shall be built.**

We are not here concerned with the wisdom or the unwisdom of our having six units of the university in as many different localities. That is an accomplished fact. We are here dealing with facts—not fanciful theories. One of these cold, hard facts is that Montana has a population of less than 500,000 people. It is able to support one university. It is not financially able to support six colleges or six separate universities. Therefore:

## CONCLUSION NUMBER ONE

That the six units of our university must be considered **for all purposes as one university**. By that we mean that the several units must be **welded together**, not only for the purpose of carrying on **one educational program**, but the **budgetary control**, and **administration** as well, must be unified.

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We emphasize that we are here dealing, not with the details involved in this unification; but, rather, with the construction of a general plan, having permanency, around which the details may be built.

Generally speaking, the law in relation to the government of the university is to be found in section 11 of Article XI of our Constitution, and in chapters 79 to 91, inclusive, of our Code. Therein will be found the greater part of the system under which our university is operated. In order to point out some of the defects of the present system, we refer to those laws. Our analysis thereof must, of necessity, be brief.

The State Board of Education consists of eleven members, of which the Governor, Attorney General, and Superintendent of Public Instruction are members *ex-officio*, and eight other persons appointed by the Governor, with the approval of the Senate. The eight members receive no compensation but their actual expense is paid. Section 11 of Article XI provides in part as follows:



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"The general control and supervision of the state university and the various other state educational institutions shall be vested in a state board of education, **whose powers and duties shall be prescribed and regulated by law.**"

All appropriations of money derived from taxes are made by the legislature direct to each unit of the university.

The state board is authorized to employ a Chancellor, but is not authorized to pay either his salary or expenses.

An executive board is provided for each unit of the university, but one executive board has no power or control over any other.

A few of the defects inherent in the present plan are as follows:

A. While, under section 11 of Article XI above, the state board is given the **general control and supervision** of the university; nevertheless, **the board does not have one vestige of power or authority except that which comes from an act of the legislature.** We do not want to be understood as criticizing the legislature. Precisely the contrary is true, for investigation compels the conclusion that the legislature has done a better job in this regard than we have any right to expect. Under this plan, the powers now enjoyed by the board will continue until the legislature meets in January, 1945. The legislature may then take away some of those powers, or it may continue the present powers of the board, or it may grant additional powers, and these will continue for two years, or until January, 1947, when there will be a recurrence of the same thing; and so on, ad infinitum. It must be remembered that many of the members serving as law makers in 1945 will not longer be members of the legislature in 1947, for that is a continually changing body. Certainly, that is not the fault of our law-making body. Further, the multitude of duties which the members of the legislature are called upon to perform and the limited time allotted for the performance of those duties, are insufficient in which to give careful consideration to the needs of our university.

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Every thoughtful citizen is desirous of having this university home grow into a great, useful, outstanding institution of which each of us may be proud. We believe that that may not be accomplished through spasmodic action. Its realization requires years of intelligent, earnest, continuous planning; and we believe that its accomplishment will never become a reality until the State Board of Education is given—not only supervision and control over the university, but, as well, the means for making that control effective. Give to that board the authority, in fact, and hold it accountable for the proper exercise of that power.

Our thought may be made clearer by the statement of the simple fact that most of the units of our university right now are in need of additional buildings and of additional equipment. That need will never be met by a spasmodic rough and tumble scramble. In so far as humanly possible, these improvements may be made only through careful planning over a long period of years by one board or body empowered not only to make that plan, but, as well, to carry it into execution.

B. The state board is charged by statute (section 855) with the duty of preventing "unnecessary duplications of courses of instruction in the various educational institutions composing the University of Montana," etc.; but, as above noted, in so far as tax money is concerned, appropriations are made direct to each unit of the university. The funds, when appropriated, must be used in connection with that particular unit. In the interim between the meetings of the legislature, conditions may change, but regardless of changed conditions, the state board is powerless to meet those. In other words, giving to the state board the power to regulate and control, but without any power over the finances, is an idle use of words. We thereby give to the board an empty shell, the kernel within the shell having been removed—that kernel being the finances.

C. In respect to the integration of an educational program we have six separate units, each under the direct management and control of an executive board consisting of three members, two of whom come from the county in which the institution is located, the third being the president of that unit (section 842). Through what agency are these six units bound together? The answer is the State Board of Education. But eight of the members

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of that board serve without compensation. They are scattered about all over the state, each engrossed with a business of his own. The three ex-officio members are burdened with multifarious duties, so varied and of such importance, that not one of them, regardless of his or her ability and regardless of his or her willingness, may accomplish that integration.

Six army divisions, each seeking the same end, and each under a separate commander, would be much more likely to succeed were all six divisions placed under the command of one officer. Certainly, that officer would be most unwise, and utterly unfit to command, if he did not seek the advice of the six division commanders; and too, any one of the six division commanders would be most unwise and equally unfit to command if he, in turn did not seek the advice of the officers under him. We believe that a board composed of a few persons meeting more frequently and giving studied attention to the varied problems of education will produce an increasingly efficient and satisfactory service and, therefore, we are of the opinion that the State Board of Education should be composed of the Governor and five persons appointed by him.

This brings us to:

## CONCLUSION NUMBER TWO

That section 11 of Article XI of our State Constitution should be amended to read as follows:

"ARTICLE XI. The general control and supervision of the university system, financial and otherwise, shall be vested in the state board of education; provided that all general laws of the state relating to the depositing of moneys, purchasing of supplies, materials, equipment, and property, payment of claims and financial accounting shall apply to the university system. The state board of education shall consist of six members, the governor being ex-officio a member and chairman thereof. The remaining five members shall be appointed by the governor, subject to confirmation by a two-thirds majority vote of the senate. Their terms of office shall be six years, but those first appointed shall be so appointed that the term of one thereof shall expire in one year, one thereof in two years, one thereof in three years, one thereof

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in four years, and one thereof in five years. They shall be so appointed that at least three thereof shall be residents of counties other than those in which units of the university system are located. The members of the board, other than the governor, shall receive ten dollars per day for attending meetings of the board, and their actual and necessary expenses incurred in such attendance, provided that no one of such members shall receive more than five hundred dollars per diem in any one fiscal year.

"Such board shall have the power to appoint an executive head of the state system of higher education, and to fix his term of office and salary and prescribe generally his powers and duties.

"The legislative assembly shall, at each regular session thereof, make a lump sum appropriation for each of the two next ensuing fiscal years for the maintenance and support of the state system of higher education based upon the budget certified by the state board of education; and provided in emergency the state board of education shall have the power, at any time during a fiscal year, subject to the approval of the state board of examiners, to amend or change any such budget or budgets by transferring any part of an appropriation set apart or assigned to one institution or unit to another institution or unit, or by transferring any part of an appropriation set apart or assigned to one institution or unit for any object or purpose to another object or purpose for the same institution or unit.

"All expenses of the state board of education, including per diem and expenses of members, and the salary and expenses of the executive head of the state system of higher education shall be paid out of the appropriations made by the legislative assembly for such university system."

(It is our purpose to so amend section 11 of Article XI as that the general control and supervision of the state system of higher education, financial and otherwise shall be reposed in the state board of education).

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Some time must elapse before this proposed constitutional amendment may become effective. In order to meet the need in that interim we recommend that the legislature enact suitable legislation in order to make this plan effective.

### CONCLUSION NUMBER THREE

We believe that there should be an executive board in connection with each unit of the university and that such board should consist of the executive head of the state system of higher education who shall be chairman of such board together with the president of the unit and three members appointed by the governor by and with the consent of the state board of education.

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Obviously, the matter of the annual budget for each of these units is one of very grave importance. In order that the State Board of Education and the legislature may act intelligently in connection therewith there should be furnished a complete statement of the funds available to each unit from sources other than those derived from taxation, together with an itemized statement of the need of each unit for its maintenance and operation; and, therefore:

### CONCLUSION NUMBER FOUR

We recommend that prior to the meeting of the legislative assembly, the executive head of the state system of higher education, acting with the executive board of each unit, prepare a budget covering a period of two years and showing:

(a) A detailed statement of all revenues other than those coming from taxation; and

(b) A detailed statement of the requirements of each unit for its maintenance which shall include needed repairs and its operation for that period.

We desire to emphasize the importance of itemizing that statement in detail. This because the State Board of Education, as well as the legislative assembly, are entitled to have such

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information; and by having it, each may act intelligently in connection therewith. The furnishing of such detailed information is likely to inspire confidence rather than distrust.

When the budget for each unit shall have been completed, then the executive head of the state system of higher education shall embody all of them into one general budget and present the same to the State Board of Education. After the Board shall have examined such budget and acted thereon, it shall be duly certified by the Board and delivered by it to the proper state officers. When this budget shall come before the legislative committees for consideration it shall be the duty of the Board to appear before such committees to explain the budget and to confer concerning it.

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From the discussions had by the Commission and before it, there is no doubt but that additional buildings are badly needed at some of the units of our university and, as well, additional equipment. That such buildings should be constructed and such equipment furnished there is, in our minds, no question; but this Commission does not have before it sufficient information upon which to base an intelligent conclusion in this regard. However, it is obvious that this need may not all be met in a short period of time. Its accomplishment requires intelligent, careful planning—not by a number of boards, but by one body. Likewise, it must be obvious that when such planning shall have been accomplished, its execution will require a considerable period of time. If that be done waste will be avoided and the results will contribute greatly to the establishment of a more useful institution; and, therefore:

## CONCLUSION NUMBER FIVE

We recommend that a report setting forth the need of each unit as to buildings and equipment should be made in the same manner and at the same time as the budget herein mentioned is prepared and that this report shall show the probable cost of such improvements, and that this report be furnished to the State Board to the end that that Board and the legislative assembly may have before them the overall picture of the needs of the whole institution.

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Our university is a vast business enterprise. In its physical plant we have invested millions of dollars and we are annually investing hundreds of thousands of dollars toward its maintenance and operation. The detailed financial considerations are of immense importance. Therefore, we believe the State Board should employ a person who would be a keeper of the records and a financial adviser to the executive head of the state system of higher education in the conduct of his office.

Throughout our deliberations much has been said about quality work in our university. With all of that we agree. In some departments of our state government we have attempted to imitate the governments of states such as Iowa and Minnesota, and others of greater population. We feel that we are doing precisely the same thing in relation to our university. We are attempting to cover too much territory. Our population and resources considered we must narrow that field through a reasonable adjustment of courses as between the existing units. The saving thus accomplished, when added to the salaries of those retained, is likely to produce quality education through quality teachers. The members of this commission are not experts along this line; and, therefore, we are unable to say with any degree of certainty precisely what departments should be eliminated or where there is unnecessary duplication. Those are matters which must be taken care of by those in direct charge of this institution. Therefore:

## CONCLUSION NUMBER SIX

We recommend that less essential courses now existing in the university be eliminated, as well as unnecessary duplication; and that the expense thus saved be applied toward the procurement of quality teachers and better equipment.

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The Commission has given careful consideration to conditions following the war. Attendance has materially decreased during the war and because of it. Certain it is that the number in attendance following the war will return to normal. That attendance may increase. What courses of study those returning from the military service will desire to pursue is uncertain. The federal government is making provision for those now in the military

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service who desire to enter the university after the war. How many of those in the military service may take advantage of such federal aid is uncertain. That depends upon many undetermined conditions. Obviously, before any definite plans can be made to meet the need, that need must first be determined; and its determination should not be based upon conjecture or speculation. Furthermore, any plans that are made to meet this need should fit into the general scheme or plan in connection with the unification of our university; and, therefore:

### CONCLUSION NUMBER SEVEN

We recommend that the legislature make such appropriation as it may deem necessary to meet the need; that that appropriation be made to the State Board of Education, and that such appropriation be earmarked for the special purpose of meeting post war needs; that it be used for no other purpose; and that the State Board of Education be authorized to use it in the accomplishment of that purpose.

We recommend, further, that federal aid be not accepted if such action entails the surrender by the State of Montana to the Federal government of the supervision and control of its university.

### CONCLUSION NUMBER EIGHT

We recommend that the executive head of the state system of higher education shall not act as president of any unit of the university.

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We acknowledge with gratitude the assistance rendered to this Commission by Dr. Melby and by the presidents of each of the units of our university.

We emphasize the fact that the adoption of any or all of our conclusions or recommendations will by no means completely solve the problems in connection with our institution of higher education. We indulge the hope that these may be of assistance; but we say to the people of the State of Montana that the building of a real institution of higher education requires continuous, unselfish, intelligent planning—not just occasionally, but continuously. We seek your assistance to that end.

Report submitted June 9, 1944.



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TO THE STATE BOARD OF EDUCATION  
OF THE STATE OF MONTANA:

This is the minority report of the Commission on Higher Education, appointed by you in January, 1944.

The situation confronting the Greater University of Montana is not of recent origin. The causes accumulating over many years, became acute some twenty-five years ago and are now chronic. A chronic illness cannot be cleared up immediately and the patient survive. No single individual, or single group is responsible for the situation that now confronts us.

Those who proposed the locating of the different units of the University at Bozeman, Butte, Dillon and Missoula, have long since passed to the Great Beyond. Few people who voted in Montana fifty and fifty-two years ago are with us today. If a mistake was made in locating the sites of the various units of the University, the responsible parties are not here to take the blame. Perhaps time will show that no mistake was made.

The Eastern and Northern Montana Normal Schools were created with the influx of settlers into our state, people with little money, yet who desired their children to have the benefit of higher education without going too far away from home. Public opinion, plus the legislature, gave us these two units of the University.

The Board of Education, when it was created, was the best that could be devised to control and supervise the University of Montana in a large and sparsely populated state like Montana. The Board functioned well, considering that they served without recompense and had not the money or sufficient time to consider the needs of the institution.

The majority report recommends amending Section 11, of Article XI of our State Constitution, and gives a draft of such amendment.

The law at present gives the State Board of Education all the power necessary to control and direct the functioning of the University of Montana, and if any more power is necessary to

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regulate and eliminate the ills of the University, amendments to the existing laws are all that are required.

An amendment to Chapter 79, Section 838, Revised Codes of Montana 1935 can be made that will take care of the compensation of the appointive members of the Board of Education.

Chapter 82, Section 853, Revised Codes of Montana 1935 gives the Board all the power necessary to control, regulate and supervise the functioning of the Greater University.

If the present law will not allow for unification of the six units of the University, then a slight amendment to Section 858 can be made that will clarify the law.

Your attention is called to two subjects in the amendment to the State Constitution proposed by the majority of the Commission on Higher Education.

First: Changing the set-up of the Board of Education to give five members appointed by the Governor with the Governor ex-officio member, eliminating all elective state officials, as the ex-officio member has no vote.

Second: Requiring the legislature to make a lump sum appropriation for the maintenance and support of the state system of education and giving the State Board of Education, with the consent of the Board of Examiners the right to transfer the money from one unit to another unit of the University, if it is deemed advisable.

These two subjects will require two separate amendments to the Constitution, as the first relates to the Board of Education exclusively and the second relates to the duties of the legislature.

There is no desire or sentiment in Montana to alter the form of the State Board of Education. A proposed constitutional amendment similar to the one now proposed, was before the voters at the general election in 1942 and was defeated by a large majority.

It is not advisable to remove the Governor, Attorney General and Superintendent of Public Instruction from the Board of Education. These officials are in a position to be informed at all times

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of the situation existing at the University units and, therefore, should be kept on the Board of Education.

Until there is an informed sentiment crystalized among the voters of Montana, relative to the advisability of changing the form of the Board of Education, there should be no proposed constitutional amendment placed on the ballot.

It is very doubtful if the legislature would consider favorably the proposal to make a lump sum appropriation for the maintenance and support of the Greater University with the proviso that the Board of Education may, at their discretion, use this money for purposes other than stated in the budget. Appropriations thus made might be abused and subject to political manipulations for the benefit of some favored unit.

To allow lump sum appropriations to the Board of Education would be followed by other boards or departments asking that their appropriations be made on a lump sum basis. As legislators must provide ways and means to raise revenue for the maintenance of government, they are not liable to delegate to any board the power to disburse the money at pleasure.

The proposed constitutional amendment recommended in the majority report provides that the Board of Education "shall have the power to appoint an executive head of the state system of higher education," etc. If the adoption of this is intended to pave the way for the appointment of a business manager, other than an educator to run the units of the University, then for the good of our educational institutions the sooner such an idea is forgotten, the better.

The Board of Education has the power at present to appoint a Chancellor and prescribe his duties.

Through an incident that arose in the legislature in the session of 1933, when the appropriation bill for the State University was under consideration in the Senate, a member moved a rider to the bill that no part of the money appropriated was to be paid to Chancellor Brannon. The rider carried and this dismissed the Chancellor from office at the end of that fiscal year. It was obvious to those who saw and heard the Senator make his attack on

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the Chancellor, that he was not in the legislature for the good of the University, but to even up a grudge against the Chancellor. However, such an incident as this, should not cause us to be adverse to the creation of a Chancellor to supervise the unification of the various units of the University.

The attendance at the State Normal College has fallen off extensively and that has caused some people to think that it may be advisable to close that institution. The war is the cause of the reduced attendance. The situation at Dillon is on a par with what exists at some of the greatest universities in the country.

Mars has placed a dreadfully heavy toll on our educational institutions, so much so, that it will be a few years before we will know the extent of the damage done. With the end of the war, the attendance will increase at the Normal College, the same as it will in the other educational institutions throughout the land.

Submitted by James D. Graham

July 22, 1944

